GOVERNMENT OF INDIA
ENVIRONMENT, FORESTS AND CLIMATE CHANGE
LOK SABHA

UNSTARRED QUESTION NO:3894
ANSWERED ON:22.12.2015
Mining in Non-Forest Areas
Ranjan (Pappu Yadav) Shri Rajesh

Will the Minister of ENVIRONMENT, FORESTS AND CLIMATE CHANGE be pleased to state:

(a) whether the Government has allowed mining in non-forest areas without the final approval from the Ministry;
(b) if so, the details thereof;
(c) whether any mechanism has been laid down by the Government to ensure that the principle of sustainable development is not violated while allowing faster extraction of coal; and
(d) if so, the details thereof and if not, the reasons therefor?

Answer

MINISTER OF STATE (INDEPENDENT CHARGE) FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(SHRI PRAKASH JAVADEKAR)

(a) and (b) In partial modification of the paragraph 4.4 of the consolidated guidelines issued under the Forest (Conservation) Act, 1980 and guidelines issued by the Ministry of Environment, Forest and Climate Change (MoEFCC) vide letter dated 1st April 2015, the MoEFCC vide letter dated 10th November 2015 issued guidelines to the following effect:
In case of mining leases having forest land in part or in full, the concerned user agency may execute a single mining lease in accordance with the provisions of the Mines and Minerals (Development and Regulation) Act, 1957 and the Rules framed thereunder, for the entire area falling in the mining lease after final approval under Section-2 of the Forest (Conservation) Act, 1980 for the entire forest land falling in such mining lease is obtained. However, the State Government, if so desires, may execute a separate mining lease for a whole or part of non-forest land falling in such mining lease, once stage-I approval under Section 2 of the Forest (Conservation) Act, 1980 for the entire forest land falling in such mining lease is obtained. The State Government, in such cases, shall take all measures to ensure that no violations of the Forest (Conservation) Act, 1980 occurs on the forest land.
(c) and (d)Mining of coal requires prior Environmental Clearance in accordance with the provisions of the EIA Notification, 2006, as amended. In case mining of coal involves forest land, prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980 is also required to be obtained. In case mining of coal involves areas falling in Protected Areas or Eco-sensitive zone of Protected Areas, prior recommendation of Standing Committee of National Board for Wildlife (NBWL) is also required to be obtained. While taking decision on applications seeking these approvals, the Central Government and Standing Committee of the NBWL stipulates appropriate conditions to ensure that the principle of sustainable development is not violated while allowing extraction of coal.
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